

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

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4 DILON A. HESS,

5 Plaintiff,

6 v.

7 METROPOLITAN POLICE DEPT.,

8 Defendants.

Case No. 2:19-CV-01250-RFB-EJY

**ORDER**

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10 Clark County Detention Center inmate Dilon A. Hess filed an application to proceed *in*  
11 *forma pauperis* and a civil rights complaint against Las Vegas Metropolitan Police Department  
12 (“LVMPD” or the “Department”), Sheriff Joseph Labardo, and Detective D. Hawkins.

13 Under 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2, an incarcerated plaintiff seeking  
14 to proceed *in forma pauperis* must complete an *in forma pauperis* application and attach (1) an  
15 inmate account statement for the past six months, and (2) a properly executed financial certificate.  
16 “If the applicant has been at the institution for fewer than six months, the certificate must show the  
17 account’s activity for this shortened period.” LSR 1-2.

18 Here, Plaintiff’s IFP application is incomplete. Plaintiff provided an Application to  
19 Proceed *In Forma Pauperis* for Inmate, and Plaintiff attached a document titled Financial  
20 Certificate. Plaintiff signed the Certificate, but the current account balance, average monthly  
21 balance, the average monthly deposits and the filing fee (with instructions) are all blank. Also  
22 blank is a signature, title, and date of signature by an authorized officer.

23 Therefore, the Court will deny Plaintiff’s application to proceed *in forma pauperis* without  
24 prejudice. Plaintiff must properly complete the application to proceed *in forma pauperis* or, in the  
25 alternative, pay the full filing fee for this action. If Plaintiff chooses to file a new application to  
26 proceed *in forma pauperis*, then Plaintiff must file a complete Financial Certificate including all  
27 the information required on the same.  
28

1 IT IS THEREFORE ORDERED that Plaintiff's Application to Proceed *In Forma Pauperis*  
2 (ECF No.1) is DENIED without prejudice.

3 IT IS THEREFORE ORDERED that the Plaintiff must refile Plaintiff's Civil Rights  
4 Complaint (ECF No. 1-1), together with a completed Financial Certificate, or pay the full \$400 fee  
5 for filing a civil action, which includes the \$350 filing fee and the \$50 administrative Fee.

6 IT IS THEREFORE ORDERED that Plaintiff must either refile Plaintiff's *In Forma*  
7 *Pauperis* application with a complete Financial Certificate together with his Civil Rights Complaint  
8 within 30 days from the date of this Order. Failure to comply with this Order may result in a  
9 recommendation that this action be dismissed.

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11 DATED THIS 16th day of August, 2019.

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14 ELAYNA J. YOUCHAH  
15 United States Magistrate Judge  
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